



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,908	10/04/2000	Olivier Hericourt	FR9-1999-0096-US1	7242

25259 7590 02/26/2004

IBM CORPORATION
3039 CORNWALLIS RD.
DEPT. T81 / B503, PO BOX 12195
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

OSMAN, RAMY M

ART UNIT PAPER NUMBER

2157

DATE MAILED: 02/26/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/678,908

Applicant(s)

HERICOURT, OLIVIER

Examiner

Ramy M Osman

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 1-12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because applicant fails to observe all of the language and format requirements. A new abstract is required. See MPEP § 608.01(b).

Art Unit: 2157

4. The disclosure is objected to because of the following informalities:

Page 8 line 14, change “depending on the” to “depending whether on the”.

Page 10 line 24, change “cannot not” to “cannot”.

Page 25 line 20, change “are” to “is”.

Appropriate correction is required.

Claim Objections

5. Claims 1,5,11 and 12 objected to because of the following informalities:

Improper format using multiple colons and lack of indentation. Where a claim sets forth a plurality of steps, each step of the claim should be separated by a line indentation, 37 CFR 1.75(i).

6. Claims 1,2,5,11 and 12 objected to because of the following informalities:

Periods may not appear within a claim except to indicate the end of the claim, MPEP 608.01(m).

7. Claim 3 objected to because of the following informality:

“any one of the preceding claim 2” should be changed to “claims 1 or 2”.

Appropriate correction is required.

8. Claims 9 and 10 objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend on another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-12 rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

See objections cited above.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1 and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (U.S. Patent No. 6,389,462) in view of Kayashima (U.S. Patent No. 6,195,366) in further view of Crichton et al. (U.S. Patent No. 6,104,716).

Cohen teaches a method in a network device for caching Hyper Text Transfer Protocol (HTTP) data transported in an Internet Protocol (IP) Datagram sent on a socks connection established over a Transmission Control Protocol (TCP) connection between a source port on a source device and a destination port on a destination device (Cohen, Abstract and column 6 lines 21-46; Cohen discloses caching HTTP connection data transported in an IP packet over TCP between source and destination), said method comprising the steps of:

Identifying:

- the source device,
- the destination device,
- the port on the source device,
- the port on the destination device,

of an incoming IP Datagram (Cohen, column 6 lines 21-67; Cohen discloses identifying source and destination device and ports from a packet);

determining whether the incoming IP Datagram is originated by a socks client or by a socks server (Cohen, column 7 lines 1-35; Cohen discloses determining if packet is originated by client or origin server):

if the incoming IP Datagram is originated by a socks client (Cohen, column 6 lines 21-67; Cohen discloses IP packets/requests from client):

terminating the TCP connection and the socks connection (Cohen, column 6 line 21 – column 7 line 67; Cohen discloses terminating TCP connection by interrupting transmission between client and origin server);

Cohen fails to teach identifying the socks connection in a table. However, Kayashima discloses socks connection, terminating socks connection, and identifying the connections in tables (Kayashima, column 1 line 5 – column 2 line 36, column 5 line 42 – column 6 line 23 and figure 3);

It would have been obvious for one ordinarily skilled in the art to identify the socks connection in a table as per the teachings of Kayashima for keeping track of the connection parameters.

Cohen also fails to teach identifying the application level protocol associated with said socks connection referring to said table, said table comprising for each socks connection an application level protocol. However, Crichton discloses identifying application data associated with connection in a protocol table (Crichton, column 6 line 24 - column 7 line 52);

It would have been obvious for one ordinarily skilled in the art to identify the application level protocol associated with said socks connection referring to said table, said table comprising for each socks connection an application level protocol as per the teachings of Crichton for identifying the connection information protocol for data transmission.

determining whether said application level protocol is HTTP or not:

If said application level protocol is HTTP:

determining whether HTTP data requested by the incoming IP Datagram is in a local cache within the network device (Cohen, column 6 line 23 – column 8 line 52; Cohen discloses determining if HTTP data request packet is in a local proxy cache):

If HTTP data requested by the incoming IP Datagram is in a local cache:

Art Unit: 2157

building an outgoing IP Datagram comprising requested HTTP data retrieved from the local cache; and

sending said outgoing IP Datagram to the socks client originator of the incoming IP Datagram (Cohen, column 6 line 23 – column 8 line 52; Cohen discloses building an IP packet comprising the HTTP data request and sending it to the client).

Allowable Subject Matter

13. Claims 2-10 and 12 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.

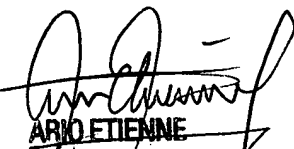
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO

February 2, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100